GOVERNMENT OF INDIA
TRIBAL AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:203
ANSWERED ON:25.04.2016
Rehabilitation of Tribals
Parthipan Shri R.

Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether the tribal population in the country is severely affected by the unplanned notification of Tiger reserves/sanctuaries/national parks etc. and if so, the details thereof, State-wise;

(b) whether several litigations are pending before the courts in this regard and if so, the details thereof State/UT-wise;

(c) whether the work of rehabilitation of the affected population has been delayed as a result thereof and if so, the details thereof; and

(d) the steps taken/being taken by the Government for expeditious settlement of such cases?

Answer

MINISTER OF TRIBAL AFFAIRS
(SHRI JUAL ORAM)
(a) The notification of Tiger Reserves /Sanctuaries/national Parks are done under The Indian Wildlife (Protection) Act, 1972. The Forest Rights Act, 2006 is a subsequent legislation where, under section 4(2), the process for declaration of critical wildlife habitats of National Parks and Sanctuaries are laid down. It lays down specific conditions under which rights can be modified. Resettlement can only take place when Gram Sabha has given free informed consent to the proposed resettlement package and the process of recognition and vesting of rights is complete. The recognition and vesting of rights starts from Gram Sabha and is completed at the District level. No such details are maintained at the level of Central Government.

(b)(c)& (d) There are ongoing litigations concerning FRA,2006 in various high courts and Supreme Court.The Ministry of Tribal Affairs as a respondent has stated the position of law regarding recognition of rights of forest dwellers as per FRA,2006 through its replies meticulously. Rehabilitation and Resettlement of communities is done by the State Governments.

****